

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CAROLYN SPATAFORA,

Plaintiff,

v.

TOWN SPORTS INTERNATIONAL
HOLDINGS, INC.,

Defendant.

Case No. 1:21-cv-477

**DECLARATION IN SUPPORT OF
MOTION TO COMPEL
ARBITRATION**

DECLARATION OF PATRICK WALSH

I, PATRICK WALSH, hereby declare as follows:

1. I am the chief executive officer of Town Sports International Holdings, Inc. (“TSI”), and a former corporate officer of Town Sports International, LLC (“TSI LLC”).
2. I am over 18 years of age and have personal knowledge regarding the matters stated herein.
3. I am filing this declaration in support of TSI’s motion to compel arbitration and for the purpose of attaching true and correct copies of the documents listed below. Attached to this declaration is Exhibit J.
4. Exhibit J is a true and correct copy of the Arbitration Policy that was in effect during the time Carolyn Spatafora’s (“Plaintiff”) employment. (Dkt. 1).
5. This Arbitration Policy was also in effect up and until Plaintiff left TSI LLC’s employ.
6. It is my understanding, based on my own personal knowledge, that all employees receive the Arbitration Policy when they are hired.

7. I recall that the severance agreement and amendments referenced in Plaintiff's complaint were vigorously negotiated and supported by exchanged promises as well as burdens and benefits for all sides on those transactions.
8. Plaintiff is a sophisticated business executive, and she had regular experience dealing with legal contracts and negotiations.
9. I recall that TSI LLC underwent bankruptcy proceedings after Plaintiff entered into her severance agreement, which my counsel advises me may require dismissal of Plaintiff's complaint in this action, with prejudice.

Executed on this 4th day of March, 2021.

/s/ Patrick Walsh
Patrick Walsh

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document by using the Court's Electronic Filing (CM/ECF) system on March 4, 2021, and service to all counsel of record was accomplished by that system.

Dated: New York, NY
March 4, 2021

/s/ Massimo F. D'Angelo
Massimo F. D'Angelo